

**REMARKS-General**

1. The applicant acknowledges the certified copy of the foreign application has not filed.. The certified copy of the foreign application will be submitted before the Notice of Allowance.
2. Upon review of the original specification and in light of the observation of the Examiner noted in the above Office Action, the applicant has submitted a completely revised substitute specification which is deemed to more clearly and distinctly describe the subject matter of the instant invention, and which provides full antecedent basis to the newly drafted claims. No new matter has been included in the substitute specification.
3. A revised substitute specification has been submitted in order to correct numerous idiomatic errors in the original specification, as well as the informalities noted by the Examiner, and to more clearly describe the subject matter of the instant invention. No new matter has been included in the substitute specification.
4. A marked-up copy is also submitted to show additions to and/or deletions from the original specification and the substitute specification includes the same changes as are indicated in the marked-up copy of the original specification showing addition and/or deletions.
5. The newly drafted independent claim 7 incorporates all structural limitations of the original claim 1 and includes further limitations previously brought forth in the disclosure. No new matter has been included. All new claims 7-12 are submitted to be of sufficient clarity and detail to enable a person of average skill in the art to make and use the instant invention, so as to be pursuant to 35 USC 112.

**Response to Rejection of the Specification under 35USC112**

6. The applicant submits that the new specification describes the subject matter of the instant invention with sufficient clarity and detail to overcome the rejection thereof under 35USC112. The applicant respectfully submits a person having ordinary skill in the art is able to determine the ratio of flour and water to make the oriental flour product so as to control the softness of the oriental flour product. The amount of flavor material

can be selectively added depending the user to control the taste of the oriental flour product. In addition, a person having ordinary skill in the art is able to adjust the amount of water adding to the mixture of the flour and flavor material when juice as the flavor material is added into the flour. Therefore, water is added **after** the flavor material is added.

#### **Response to Rejection of Claims 1-6 under 35USC112**

7. The applicant submits that the newly drafted claims 7-12 particularly point out and distinctly claim the subject matter of the instant invention, as pursuant to 35USC112.

#### **Response to Rejection of Claims 1-6 under 35USC103**

8. The Examiner rejected claims 1-6 over "The Good Cook Breads" in view of no other cited art. Pursuant to 35 U.S.C. 103:

"(a) A patent may not be obtained thought the invention is **not identically** disclosed or described as set forth in **section 102 of this title**, if the **differences** between the subject matter sought to be patented and the prior art are such that the **subject matter as a whole would have been obvious** at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made."

9. In view of 35 U.S.C. 103(a), it is apparent that to be qualified as a prior art under 35USC103(a), the prior art must be cited under 35USC102(a)~(g) but the disclosure of the prior art and the invention are not identical and there are one or more differences between the subject matter sought to be patented and the prior art. In addition, such differences between the subject matter sought to be patented **as a whole** and the prior art are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

10. In other words, the differences between the subject matter sought to be patent **as a whole** of the instant invention and cookbook which is qualified as prior art of the instant invention under 35USC102 are obvious at the time the invention was made to a person having ordinary skill in the art to which the subject matter pertains.

11. Accordingly, the cookbook teaches the recipe for bread comprising the mixture of yeast, milk, flour, eggs, butter to make the dough. Then, the dough can mix with shred zucchini or combination of raisins, dried currants, chopped orange, lemon peels and chopped almonds such that the dough is baked in an oven. However, the cookbook never teaches any recipe for oriental flour product. The applicant respectfully submits the way to cook the oriental flour product is totally different from the bread.

12. The applicant respectfully submits that in order to determine whether the differences between the subject matters sought to be patent as a whole of the instant invention and the primary prior art, cookbook, are obvious in view of no other cited art, we have to identify all the differences between the claims of the instant inventions and cookbook. The applicant respectfully identifies the differences between the claims of the instant invention and cookbook as follows:

(a) Regarding to claim 7, the oriental flour product comprises a predetermined amount of flour mixing with the flavor material, wherein the cookbook merely teaches the added material is added after the dough is done.

(b) In claim 7, "a predetermined amount of water mixing with a mixture of the flour and the flavor material" is claimed to form a semi-finished flour product, wherein the cookbook merely teaches the flour mixing with yeast, milk, eggs, and butter without any mention of any water adding to the mixture of flour and flavor material. The applicant respectfully submits that, unlike the western flour product having the flavor of butter, egg and milk, the oriental flour product is made of flour and water such that the oriental flour product is tasteless.

(c) In claim 7, the semi-finished flour product is cooked to form a finished flour product" is claimed, wherein the cookbook merely teaches the dough is baked in the oven to make the bread. However, the oriental flour product is cooked by steam, pan fried, or in the boiling water. In other words, the oriental flour product of the instant invention is not equivalent to the bread of the cookbook.

(d) In claim 7, "the finished flour product selected from the group consisting of steamed bun, meat stuffed bun, mooncake, cake, sweet dumpling, instant noodle, noodle and Chinese refection" is claimed as the oriental flour product, wherein the way

to make the bread in the cookbook is not the same way to make the oriental flour product.

(e) The cookbook fails to teach the flavor material is selected from the group consisting of juice, granules, fine granules, powder of at least one of vegetables, fruits, sea foods, domestic birds, wild birds, plants, fungus, and condiments as claimed in claim 8 in addition to what is claimed in claim 7. The cookbook merely teaches the dough can mix with shred zucchini or combination of raisins, dried currants, chopped orange, lemon peels and chopped almonds. However, the oriental flour product is made of mixing the flour and flavor material and then mixing the mixture thereof with water.

(f) The cookbook fails to teach any filing filled in the semi-finished flour product as claimed in claims 9 to 10 in addition to what is claimed in claim 7. The cookbook is silent regarding any filing filled in the bread.

(g) The cookbook fails to teach any meat granules as the filing as claimed in claims 11 to 12 in addition to what is claimed in claim 7.

13. Therefore, the difference between the cookbook and the instant invention as claimed in claims 7 to 12 is not limited to the disclosure of "flour product", but includes the above distinctive features (a) to (g).

14. The applicant respectfully submits that the invention must be considered as a whole and there must be something in the reference that suggests the combination or the modification. See Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick, 221 U.S.P.Q. 481, 488 (Fed. Cir. 1984) ("The claimed invention must be considered as a whole, and the question is whether there is something in the prior art as a whole to suggest the desirability, and thus the obviousness, of making the combination"), In re Gordon, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984), ("The mere fact that the prior art could be so modified would not have made the modification obvious unless the prior art suggested the desirability of the modification.") In re Laskowski, 10 U.S.P.Q.2d 1397, 1398 (Fed. Cir. 1989), ("Although the Commissioner suggests that [the structure in the primary prior art reference] could readily be modified to form the [claimed] structure, "[t]he mere fact that the prior art could be modified would not have made the modification obvious unless the prior art suggested the desirability of the modification.")

15. In the present case, there is no such suggestion. The cookbook fails to suggest the above distinctive features (a) to (g) as claimed in the instant invention.

16. Applicant believes that for all of the foregoing reasons, all of the claims are in condition for allowance and such action is respectfully requested.

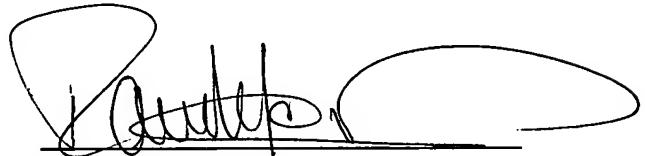
#### **The Cited but Non-Applied References**

17. The cited but not relied upon references have been studied and are greatly appreciated, but are deemed to be less relevant than the relied upon references.

18. In view of the above, it is submitted that the claims are in condition for allowance. Reconsideration and withdrawal of the objection are requested. Allowance of claims 7-12 at an early date is solicited.

19. Should the Examiner believe that anything further is needed in order to place the application in condition for allowance, he is requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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#### **CERTIFICATE OF MAILING**

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Signature:   
Person Signing: Raymond Y. Chan



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**Serial flour products having multi-flavor, multi-variety, and rich nutrition**

**CROSS REFERENCE OF RELATED APPLICATION**

The present invention claims priority of a foreign patent application in the Peoples Republic of China having an application date of 08/05/2002 and an  
5 application number of 02266040.2.

**FIELD OF THE PRESENT INVENTION**

The present invention relates to ~~a serial~~ of flour products having multi-flavor, multi-variety, and rich nutrition, and more particularly to the flour products that are able to renovate and replace the conventional ones.

10 **BACKGROUND OF THE PRESENT INVENTION**

Regarding to the conventional flour products, varieties are rarely renovated, flavors remains unchanged, and nutrition is far from complete and perfect. In view of the current flour products such as steamed bun, meat stuffed bun, mooncake, cake, sweet dumpling, ~~refection~~, instant noodle, noodle, and all  
15 Chinese ~~refection~~, it is found that although there are a lot of varieties, the flavors have not changed much. Most of them only have natural, salty and/or sweet taste as before. Although sometimes there are some differences in terms of taste and nutrition, it depends on the changing of filings for example shrimp, meat of birds, or pork. It is becoming harder and harder for the taste of such flour products to  
20 meet the growing requirement of people for delicious food.

## SUMMARY OF THE PRESENT INVENTION

The main object of the invention is to renovate a taste of traditional Chinese flour products which only have natural, salty and/or sweet taste. A ~~serial~~ flour product having multi-flavor, multi-variety, and rich nutrition, is produced by adding a certain amount of juice, granules, fine granules, or powder of one or more flavor materials such as vegetables, fruits, sea foods, domestic birds, wild birds, plants, fungus, or condiments into dry, wet or ~~fermented~~ <sup>yeasted</sup> flour, and adding a certain amount of water and then producing a series of semi- or finished ~~bean~~ <sup>flour</sup> products. The product is able to be a composite material, the flavor thereof is able to be composite flavor; the nutrition is able to be composite nutrition; for a single new product, the flavor is able to be single-flavor and single-nutrition, or multi-flavor and multi-nutrition, or even composite flavor and composite nutrition; for the ~~serial~~ flour products, the flavor is able to be single-flavor and single-nutrition, or multi-flavor and multi-nutrition, or even composite flavor and composite nutrition.

Another object of the invention is to provide a combination of the flour products and a filing, such as meat granules, contained therein, which is single-flavor and single-nutrition, or multi-flavor and multi-nutrition, or even composite flavor and composite nutrition.

Another object of the invention is to provide a ~~serial~~ flour product having multi-flavor, multi-variety, and rich nutrition, which is produced by adding a certain amount of juice, granules, fine granules, or powder of more than one flavor materials, and then adding a certain amount of water ~~or not~~.

## BRIEF DESCRIPTION OF THE DRAWINGS

Fig. 1 is a schematic view of one embodiment of the invention showing a process of the invention.

Fig. 2 is a schematic view of another embodiment of the invention showing  
5 another process of the invention.

## DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENT

Referring to Fig. 1, <sup>an oriental</sup> ~~a serial~~ flour products having single-flavor, multi-variety, and rich nutrition, <sup>is</sup> ~~are~~ produced as following:

preparing a certain amount of flour;

10 adding a certain amount of juice, granules, fine granules, or powder of one flavor materials such as vegetables, fruits, sea foods, domestic birds, wild birds, plants, fungus, and condiments into the flour;

adding a certain amount of water and mixing;

producing a ~~series~~ of semi-finished product; and

15 producing finished product.

With reference to Fig. 2, <sup>an oriental</sup> ~~a serial~~ flour products having multi-flavor, multi-variety, and rich nutrition, <sup>is</sup> ~~are~~ produced as following:

<sup>ing</sup> prepare a certain amount of flour;

20 adding a certain amount of juice, granules, fine granules, or powder of more than one flavor materials such as vegetables, fruits, sea foods, domestic birds,

wild birds, plants, fungus, and condiments into the flour;

adding a certain amount of water and mixing;

producing a ~~series~~ of semi-finished product; and

producing finished product.

5       The produced semi- or finished product is a novel food. It not only effectively improves the color, smell, and taste of such kind of bean products, but also adjusts the nutritious combination thereof, and also increases the quality and level thereof. It sets up a new generation of serial foods being convenient, useful, and various.

10      Compared with conventional flour products, the tastes and nutrition of the novel products are much improved and increased, keeping original natural, salty, and/or sweet taste thereof. A novel serial flour products having multi-flavor, multi-variety, and rich nutrition can be produced through combining different raw materials and flavor material.

15      More than one different flavor materials or the juice, granules, fine granules, or powder thereof are ~~able to~~ mixed together to create a new combination. The product ~~is able to be~~ a composite material. The flavor thereof ~~is~~ <sup>*can have*</sup> ~~able to~~ be composite flavor. The nutrition ~~is able to be~~ composite nutrition. For a single new product, the flavor ~~is able to~~ be single-flavor and single-nutrition, or  
20     multi-flavor and multi-nutrition, or even composite flavor and composite nutrition. For the ~~serial~~ <sup>*flour*</sup> bean products, the flavor ~~is able to~~ be single-flavor and single-nutrition, or multi-flavor and multi-nutrition, or even composite flavor and composite nutrition.

One skilled in the art will understand that the embodiment of the present

invention as shown in the drawings and described above is exemplary only and not intended to be limiting.

It will thus be seen that the objects of the present invention have been fully and effectively accomplished. Its embodiments have been shown and described for the purposes of illustrating the functional and structural principles of the present invention and is subject to change without departure from such principles. Therefore, this invention includes all modifications encompassed within the spirit and scope of the following claims.